

FILEDSUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CIVIL COMPLEX LITIGATION CENTER**AUG 08 2007**

ALAN SLATER, Clerk of the Court

BY P. RIEF

ELECTRONICALLY
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COUNTY OF ORANGE
CIVIL COMPLEX CENTER

Jul 05 2007

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SUPERIOR COURT OF CALIFORNIA

COUNTY OF ORANGE

ORANGE COUNTY WATER DISTRICT,

Plaintiff,

v.

NORTHROP CORPORATION, et al.,

Defendants.

CASE NO. 04CC00715

^{TR}
[PROPOSED] ORDER GRANTING
PLAINTIFF ORANGE COUNTY WATER
DISTRICT'S AND DEFENDANT
AMERICAN ELECTRONICS, INC.'S
JOINT MOTION FOR GOOD FAITH
SETTLEMENT DETERMINATION

Date: August 3, 2007
Time: 10.00 a.m.
Dept: CX 104
Judge: Hon. Thierry Patrick Colaw

Trial Date: March 17, 2008
Action Filed: December 17, 2004

On August 3, 2007, the Honorable Thierry Patrick Colaw heard Plaintiff ORANGE
COUNTY WATER DISTRICT's ("OCWD") and Defendant AMERICAN ELECTRONICS,
INC.'s ("AEI") Joint Motion for Good Faith Settlement Determination. Following the Court's
review of the written submissions of the parties, the oral argument by counsel at the hearing, and

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[PROPOSED] ORDER GRANTING OCWD'S & AEI'S JOINT MTN. FOR GOOD FAITH SETTLEMENT DETERMINATION

1 the Court's files and records in this case, and good cause appearing therefore, the Court hereby
2 enters the following Order:

3 1. That, after conducting an analysis of the factors relevant in determining whether a
4 settlement was entered into in good faith, as enunciated in *Tech-Bilt, Inc. v. Woodward Clyde &*
5 *Assocs.* (1985) 38 Cal. 3d 488, this Court determines that the total settlement payment from AEI
6 to OCWD pursuant to the Settlement Agreement and Release entered into by and between AEI
7 and OCWD falls within the reasonable range of AEI's proportional share of liability for OCWD's
8 alleged damages and that OCWD and AEI entered into the Settlement Agreement and Release in
9 good faith within the meaning of Code of Civil Procedure sections 877 and 877.6. The Court
10 further finds an absence of any evidence of collusion, fraud, or tortious conduct aimed at injuring
11 the interests of the non-settling defendants.

12 2. That, pursuant to Code of Civil Procedure sections 877(b) and 877.6(c), all claims
13 against AEI for equitable comparative contribution or partial or comparative indemnity arising
14 out of or related to the facts alleged by OCWD in its First Amended Complaint for Damages and
15 Other Relief, as further provided for in the aforementioned Settlement Agreement and Release, or
16 otherwise related to or arising in this action entitled *Orange County Water District v. Northrop*
17 *Corporation*, et al., are forever barred.

18 3. That AEI is dismissed from the action with prejudice.

19 IT IS SO ORDERED.

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21
22 DATED: 8 August, 2007

By:



HON. THIERRY PATRICK COLAW
Judge of the Superior Court